

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:14-cv-651-FDW

CHRISTOPHER OXENDINE-BEY, )  
                                  )  
                                  )  
Plaintiff,                   )  
                                  )  
                                  )  
vs.                            )  
                                  )  
                                  )  
JOHN MITCHELL, et al.,     )  
                                  )  
                                  )  
Defendants.                 )  
                                  )  
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ORDER

**THIS MATTER** comes before the Court on various motions filed by Plaintiff, (Doc. Nos. 41; 43; 45; 46).

First, as to Plaintiff's Motion for Reconsideration re Order on Motion for Reconsideration, (Doc. No. 45), Plaintiff's motion is denied for the same reasons that the Court denied his first Motion for Reconsideration. Next, Plaintiff has filed a Motion to Voluntarily Dismiss (Doc. No. 43), his pending Motion to Amend/Correct Amended Complaint, (Doc. No. 41). Plaintiff's motion to voluntarily dismiss the pending motion to amend is granted.

Finally, as to his Motion to Amend/Correct Proposed Amended Complaint, (Doc. No. 46), Plaintiff has once again failed to comply with the Court's prior instructions that, along with any motion to amend the Complaint that Plaintiff submits, he must submit a proposed amended Complaint, and he may not amend the Complaint in piecemeal fashion. See (Doc. No. 38). Plaintiff has not attached a completed, proposed amended Complaint to his latest motion to amend, and the motion to amend will therefore be denied.<sup>1</sup>

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<sup>1</sup> For instance, the "proposed amended complaint" is not filed on a Section 1983 form, and it

It is **THEREFORE ORDERED** that:

- (1) Plaintiff's Motion to Amend/Correct Amended Complaint, (Doc. No. 41), shall be **TERMINATED** as voluntarily dismissed by Plaintiff. To this extent, Plaintiff's Motion to Voluntarily Dismiss the Motion to Amend/Correct Amended Complaint, (Doc. No. 43), is **GRANTED**.
- (2) Plaintiff's Motion for Reconsideration, (Doc. No. 45), is **DENIED**.
- (3) Plaintiff's Motion to Amend/Correct Complaint, (Doc. No. 46), is **DENIED**. The Clerk is respectfully instructed to mail to Plaintiff a Section 1983 form so that Plaintiff can use the form to prepare and submit a proposed amended complaint along with a motion to amend if he so wishes.



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Frank D. Whitney  
Chief United States District Judge



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does not identify all Defendants, nor does it contain a statement of jurisdiction, or a prayer for relief. Furthermore, the "proposed amended complaint" appears to complain about events that occurred after the original Complaint was filed.